

Application No. 10/680,146
Amendment dated January 8, 2007
Reply to Office Action of August 7, 2006

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REMARKS/ARGUMENTS

The composite file folder as claimed in claim 1 requires a particular combination of elements including a folder having a paper substrate support layer in combination with a reinforcing film adhered to the exterior surfaces of the front and back panels and across the fold axis and applied to each side of a labeling tab. The reinforcing film is of a multi layer breathable film with a matte finish provided on the exterior of the surface. Furthermore, the film includes a cellulose based material and an underlying adhesive layer adhered to the paper substrate support layer. The file folder additionally includes the characteristic of allowing moisture exchange from the paper support layer through the reinforcing film.

In the Office Action of August 7, 2006, the references of Hicinbothem et al., Law et al., and Cilento et al. were cited in rejecting claim 1 and others as obvious. The primary reference of Hicinbothem et al. is to a file folder and in particular, is directed to a file folder primarily for use in an automobile dealership. There is no requirement or suggestion in this patent to provide any further modifications of the file folder.

The secondary reference of Law et al. discloses a cellulose reinforcing film provided over a book cover or in encapsulating a restaurant menu or a poster. There is no suggestion in this secondary reference of using this reinforcing film for a file folder. Furthermore, it is submitted that although a book is of a paper substrate, it is not the equivalent of a reinforced file folder nor is the environment or the functional requirements of a book cover similar to a file folder. There is no suggestion in this secondary reference of using this

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reinforcing film for a file folder application. There is no appreciation in either the primary reference or the secondary reference of the improvements that are impossible by using a particular reinforcing film for a file folder that allows moisture exchange through the paper substrate and through the reinforcing film.

As described in the present application and as recognized in the primary reference, the labeling tab with a reinforcing file folder is designed to receive separate labels. It is therefore necessary to provide a suitable receiving surface for these labels to provide a good adhesion or securement of the labels to the file folder.

In the secondary reference, with respect to book covers, the reinforcing film would only be applied to one side of the book cover and is not provided either side of a labeling extension. As can be appreciated, this does not provide a consistent surface for receiving of labels on the labeling tab. In the description of the secondary reference, the menu or the poster is encapsulated in film. The encapsulating of a file folder with this film would significantly increase the cost of the file folder and would also render the manufacturing process more difficult. Thus, according to the secondary reference, the first process of merely applying the film to the exterior of a book cover would not be effective and would not provide the reinforcing film either side of the labeling tab.

The secondary suggestion in the reference would be to encapsulate the entire product with film either side thereof and for the reasons stated, this also would not be effective. It is therefore submitted, that the primary reference and the secondary reference are not compatible and even if compatible, would not arrive at the claimed subject matter. Furthermore, as set out

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above, there is no suggestion for using this reinforcing film with respect to file folders as recognized by the present inventors. Furthermore, the concept of moisture exchange and the use of the particular adhesive for securing of the cellulose based film to the substrate is not taught in either the primary reference or the secondary reference. This additional feature is only taught in United States Patent 4,427,737, for use in a micro porous adhesive tape suitable for medical or bandage applications. There is no suggestion that this micro porous adhesive tape would be suitable for reinforced file folders.

The only recognition of the value of the claimed combination is found in the present disclosure. There is certainly no suggestion in any of the references to combine certain elements to arrive at the claimed invention. The subject matter of U.S. Patent 4,427,737 is indeed remote reinforced file folders and a person skilled in the art would not turn to this reference.

The composite file folder as claimed in claim 2 requires that the reinforcing film include printed indicia in permanent ink on the matte finish outer surface. As described in the application, this particular embodiment allows the manufacture of file folders in high volumes followed by customizing of these file folders for a particular end user by printing on the matte finish with permanent ink. This provides the advantages of a customized file folder at reduced costs. In the recyclable file folder of claim 37, the reinforcing film is colored and determines the color of the exterior surfaces of the front and back panels. As noted in the application, this provides an effective approach for the manufacture of file folders in a cost effective manner as only the film is changed to provide a different color.

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The exterior color of the file folder is changed by changing the color of the film while maintaining the same paper stock. Consistency in color of the outer surfaces of the file folder is realized and it has been found that this particular arrangement reduces color fade that may have occurred if the paper substrate was colored. As previously noted, the subsequent printing in permanent ink, and preferably UV curable permanent ink, allows the file folders to be customized at the time of manufacture for large orders or file folders can be produced in long runs and then customized in a second operation as required for particular orders.

There is no consideration in any of the references cited in the Action of the improved characteristics of the file folder with respect to the reception of labels to the labeling extension. This can be a very significant problem with respect to file folders as these labels are used to identify the file folder within a large filing system. The use of the specified reinforcing film with its ability to act in the manner of the paper substrate reduces problems associated with label separation. Furthermore, the matte finish contributes to strong adhesion, where in fact it might have been considered to contribute to label separation. For example, there may not be full coverage due to the textured or matte finish whereas in fact, strong adhesion is realized.

The prior art references, and in particular the file folder references, do not recognize the ability of a recyclable file folder as required according to claims 31 through 41, the only teaching of such a recyclable file folder is found in the present application. The primary reference uses a paper substrate and is recyclable. Other films have been used to reinforce file folders, however, these have been made of a non recyclable material. Such films improve the durability of the

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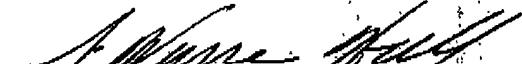
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file folder but render it difficult to recycle. In contrast, the combination claimed in claims 31 through 41, is easily recyclable due to the particular reinforcing film and adhesive, in combination with the file folder of the paper substrate. This produces a file folder with the desirable durability while also allowing the file folder to be recycled. The only teaching of this combination is found in the present application.

Applicant submits it is only based on hindsight and with knowledge of the present disclosure that there is any logic for combining the references in an attempt to arrive at the claimed invention. There is certainly no recognition in the secondary reference of using the particular reinforcing film in a manner to produce a recyclable file folder. In fact, the teaching of this reference would lead a person skilled in the art away from the particular combination claimed.

In view of the above, reconsideration and allowance of the application is requested.

Respectfully submitted,


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